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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Fifty-first session

SUMMARY RECORD OF THE 1223rd MEETING

Held at the Palais des Nations, Geneva,
on Friday, 8 August 1997, at 10 a.m.

Chairman: Mr. BANTON

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GE.97-17730 (E)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS, COMMENTS AND INFORMATION SUBMITTED BY STATES PARTIES UNDER ARTICLE 9 OF THE CONVENTION (agenda item 5) (continued)

Thirteen and fourteenth periodic reports of Poland (continued) (CERD/C/299/Add.10; HRI/CORE/1/Add.25)

1. At the invitation of the Chairman, the Polish delegation resumed its place at the Committee table.

2. Mr. ABOUL-NASR said that while he was aware of the sensitivities in European countries in particular about the events which had taken place in Auschwitz during the Second World War, and that laws had even been passed in some countries to punish those who cast doubt on what had happened to the Jews, such measures were exaggerated and failed to take account of the many other nationalities and groups such as Gypsies and Slavs who had also died there. He therefore wished to know how many people had been detained and killed at Auschwitz and what proportion had been Jews. Any memorial to the dead should be dedicated equally to all the victims of Auschwitz.

3. The statement attributed to a presidential candidate at the last elections in Poland, to the effect that Poland was for the Poles, was not in breach of the Convention unless it had been made specifically for racist reasons.

4. Mr. CIECIERSKI (Poland) said that the Committee's valuable comments and questions would help in compiling reports in the future.

5. The question of anti-Semitism, referred to in particular by Mr. van Boven, was a painful one in Poland as elsewhere, but it was important to be aware of the real scale of the problem. The Polish authorities and the church had always taken a firm attitude against anti-Semitism and had condemned it on many occasions. Blatant anti-Semitism was only a marginal phenomenon in Polish society and there was no significant nationalist party in Poland. Candidates and parties with nationalistic or anti-Semitic policies standing for presidential or parliamentary elections never won more than one per cent of the vote. The Polish authorities had an active policy of cultural support for festivals of Jewish culture and their relations with the Institute for Jewish History and other Jewish organizations were intended to promote dialogue and to accentuate the positive aspects of such cooperation and the Polish people's common history since the arrival of the Jews in the fourteenth century.

6. Auschwitz had been a multicultural camp, a place of detention and extermination of people from most of the European nations. The latest research showed that over one and a half million people had died there, 80 per cent of them Jews. Memorials had been placed on the site paying tribute to the dead of all nations. The Polish Government had, moreover, passed a rule to ensure equality of treatment for all the nationalities that had died at Auschwitz.

7. With regard to criminal proceedings, in January 1997 the Regional Prosecutor in Gdańsk had filed a complaint against Father Jankowski for publicly defaming the Jewish minority and comparing the Star of David to the swastika and the hammer and sickle during a sermon. The case had initially been dismissed for lack of evidence, but following an appeal by the prosecutor's office, further proceedings had been instituted as a result of which, in March 1997, Jankowski had been given two years' probation, community service in a primary school and a fine of 1,000 zlotys. If while he was on probation Jankowski evaded his sentence or again breached public order, especially by committing the same offence, charges would be brought before a court. The sermon in question had been formally condemned by the President of the Republic and the human rights Ombudsman, which demonstrated the resolute attitude of the Polish Government.

8. In another case mentioned the previous day, a man had been charged by the Prosecutor General in Warsaw of publishing a paper publicly inciting national discord on the basis of a national difference. The Warsaw District Court had dismissed the case in the light of the provisions of the Criminal Code following an appeal by the defence counsel. However, the decision had been subsequently overturned and the case transferred to a regional court where it was still awaiting consideration.

9. Criminal charges had been brought in two other cases. In September 1995, a regional court had found a man guilty of offences under the Criminal Code for having publicly slandered another man in respect of his racial origins, attacking him with tear-gas and threatening him with a knife, in January 1995, together with two other men. One of the assailants had received a nine-year sentence and his co-accused had been given six months each, suspended for three years, together with fines of 500 zlotys. The verdicts had been confirmed by the appeal court.

10. The second case had involved two skinheads who had been found guilty of crimes under the Criminal Code for having beaten a Romanian woman and a black Swedish woman. Both had received two-year prison sentences suspended for five years and a 1,000 zlotys fine. The two men had also been put on probation and one had been required to undergo psychiatric treatment, because the crimes had been committed under the influence either of drugs or alcohol.

11. Other cases were still pending consideration by the courts.

12. Ms. DABROWIECKA (Poland), replying to questions about the status of international law vis-à-vis domestic law, said that under the new Constitution, international treaties, once ratified, constituted one of the sources of national law, following their publication in the official gazette. The provisions were applied directly unless their application required the promulgation of a special law or act. No such law or act had been necessary in the case of the Convention, and there had been no instance in which the absence of such a law or act had prevented the provisions of the Convention from being applied. Existing legislation, particularly constitutional guarantees, criminal sanctions and bilateral treaties, together with a number of administrative laws and acts, had provided a compact legal system under which the rights addressed in the Convention were fully guaranteed.

13. With regard to questions concerning the distinction between the rights of Polish citizens and non-citizens, section 2 of article 67 of the previous Constitution had guaranteed equal rights only for Polish citizens. That situation had been changed, and article 37 of the new Constitution now provided that all people under the jurisdiction of the Republic of Poland could enjoy the freedoms guaranteed by the Constitution.

14. With regard to population statistics, current Polish law prohibited the collection of statistics concerning ethnic origin, so no official statistics were available. Those in the report had been estimates and had come from two main sources. The General Statistical Office had conducted two surveys in 1992 which had yielded some information on minorities, as the questions had included historical background and membership of associations. Information had also been obtained from various churches. The first survey had concerned civil servants in the communes and the second the main minorities' associations. The considerable discrepancy between the information yielded by the questionnaires and information from outside the country showed that there was clearly a need for demographic statistics on minority groups; the Committee's questions would be forwarded to the competent authorities.

15. With regard to recommendations by international institutions in connection with the gathering of information and conducting of surveys, the delegation apologized for any misunderstanding. He was informed that, pursuant to recommendations made by EUROSTAT and the Statistical Commission, data on ethnic origins and religious faiths could be collected on a voluntary basis. There was no prohibition in that regard as the report had stated.

16. Procedures were being completed with regard to Poland's declaration in respect of article 14 of the Convention and, as stated the previous day, the declaration would be made in three to four weeks' time. The delay had been due solely to the heavy workload resulting from the number of activities in which Poland had recently been involved and its commitment to live up to its international obligations.

17. A number of questions had been raised on national minorities. All national minorities enjoyed the same rights to stand for election as Polish nationals. The German and Ukrainian minorities were already represented in Parliament without being accorded any special treatment. Minority representatives were free to set up their own electoral committees and enjoyed the benefits and facilities described in the report. Any parties they formed could be included in the list of political parties. The fact that some minorities were scattered over a wide area, while others were clustered within particular areas could have an impact on whether or not they were elected.

18. With regard to bilateral treaties, Poland had concluded good neighbourliness treaties with Lithuania, Belarus, Ukraine, Germany, the Czech Republic, the Slovak Republic and the Russian Federation. All those treaties contained similar provisions with regard to the protection of minority rights. They guaranteed equality before the law and legal protection, prohibited discrimination, ensured the freedom to belong to minority groups, freedom of expression and freedom to enjoy and develop their own identity and to speak their own national languages, to use their own first names and surnames, to learn their mother tongue and to be educated in and to study their mother

tongue and their national history and culture. Minorities also had the right to open their own cultural institutes and were guaranteed freedom of association. They had the right to disseminate and have access to information in their own language and to the mass media, and to have their own media. Freedom of religion and conscience were also guaranteed, as was the freedom to participate in public life and to establish contacts abroad. In addition to all essential minority rights, the treaties contained clauses concerning loyalty to the Polish State. The right to territorial autonomy was not guaranteed in the case of secession. Bilateral treaties enjoyed the same status as other international treaties.

19. The reference in paragraph 12 of the report to "minorities of an emigration nature" was a mistake in translation. It referred to minority groups which had left their own countries for a variety of reasons.

20. There were about 120 associations of national and ethnic minorities, of which 11 had links with the Bureau for the Culture of National Minorities. No associations were forbidden to cooperate with the Bureau, but not all of them wished to do so: the initiative lay entirely with the association itself.

21. Members had said that not all children from minority groups were taught their own language. That was true, but there were no restrictions on mother-tongue teaching in minority languages: it was always provided if the parents wished.

22. Members had questioned the assertion in paragraph 10 that Poland had "ceased to be a multinational country" after the Second World War. However, race and nationality were not the same thing: Poland certainly did not deny the existence of ethnic minorities within its borders. The statement was certainly no longer part of government policy.

23. On the subject of restrictions on the implementation of the Convention, Poland had lodged one reservation against article 22 of the Convention, but that reservation had since been withdrawn, and Poland now accepted the jurisdiction of the International Court of Justice in any dispute connected with the Convention.

24. Members had asked about the eviction of a group of Gypsies from their camp in Warsaw. The eviction had been carried out for reasons of hygiene, since the camp was in a damp spot by the River Vistula, liable to flooding and with no sewerage facilities. The authorities had offered the Gypsies a better site on the edge of the city, where their children could have gone to school, but they had refused. Many of the group were in Poland illegally, without valid identity papers, and they had been deported.

25. With regard to the implementation of the economic, social and cultural rights outlined in the Convention, it was true that those rights had been somewhat neglected in the transformation of Polish society, but that neglect had not resulted in any great increase in racial discrimination. The Polish Government was now trying to improve the situation with foreign assistance, including aid from Germany for the German minority in Poland.

26. In response to questions about the implementation of article 6 of the Convention, dealing with legal protection against acts of racial discrimination, he said that under article 23 of the revised Civil Code, private property, individual dignity and freedom of conscience were now subject to the civil law, and a case could be brought before the court if those rights were infringed. As well as putting an end to the offending behaviour and remedying its consequences (for instance, by printing an apology in the press), offenders could now be obliged to pay financial compensation.

27. Members had asked about the publicity given to the Convention and the Committee's work in Poland. Poland's periodic report would not be published, but it would be publicized, along with the Committee's concluding observations, in a press conference by the Ministry of Justice. The periodic report was prepared by the Ministry of Justice together with other competent government institutions, such as the ministries of education and culture and statistical offices.

28. As to whether the definition of the term "racial discrimination" contained in article 1 of the Convention had been included in the new Constitution, the exact wording of article 1 was not used. The new Constitution stated in more general terms than the previous one, that all persons were equal before the law and had the right to equal treatment by the authorities. Other articles of the Constitution guaranteed individuals' right to a private life, dignity and reputation, freedom of movement, freedom of conscience and freedom of association, all of which were rights and freedoms mentioned in the Convention. All those provisions were designed to prevent discrimination.

29. Members had asked about the implementation of article 4 of the Convention, dealing with racist propaganda and racist organizations. The authorities were very sensitive to issues of racial discrimination, and the few cases of racial discrimination which arose were dealt with promptly and fully covered by the media. In some cases, the matter was taken up by parliament or the Ombudsman.

30. The new Criminal Code expressly prohibited racial discrimination. In a number of cases, it had proved impossible to secure a conviction, either because the perpetrator could not be found, or because he/she could not be held legally responsible. Where the offender was a minor committing a relatively minor first offence, such as distributing leaflets or putting up posters, the usual penalty was a period of probation. The penalties for all the offences described in article 4 (a) of the Convention were defined by the Criminal Code, and had not changed in the new version.

31. In respect of article 4 (b), she said that article 13 of the new Constitution prohibited political parties or other institutions whose status advocated totalitarian practices, fascism, communism, Nazism, or racial or national hatred. Membership of such a party or organization would be an offence under the Criminal Code. However, a number of ethnic parties had been founded, for instance a Belarusian party. Poland had submitted information on that issue to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, which was available for consultation at the Centre for Human Rights.

32. Mr. van BOVEN thanked the Polish representatives for their extensive replies and trusted that further information would be included in Poland's next periodic report.

33. He was still concerned about the case of the group of Roma who had been evicted from their camp in Warsaw. The Committee often had to consider the situation of people whose lifestyle did not fit in with conventional, well-ordered society, but whose rights and dignity must still be preserved. In the present case, it appeared that the Warsaw authorities had offered the Roma group an alternative camp site, even though some of them had been in Poland illegally, and had only deported them when they had refused. Was that the case? And was anything known of their fate since then?

34. Mr. RECHETOV thanked the Government of Poland for sending such a high-ranking delegation to meet the Committee. In response to a question about anti-Semitism in Poland, the Polish representative had clearly attached great importance to the issue answering the question at length. However, in his opinion, anti-Semitism was a relatively minor problem in Poland. He hoped that the Committee's concluding observations would not give the impression that anti-Semitism was one of the major issues covered.

35. Ms. DABROWIECKA (Poland) said that, with regard to deportation of the Roma, some of the people who had lived in the camps had stayed in Poland but had been dispersed. She could not give a definitive reply to the assertion that the absence of documents had been used as a pretext for deportation. It had originally been proposed that some of the people should be relocated to another part of Warsaw, and the only people deported had been those without documents and those who had expressed an interest in returning to Romania. The question of different lifestyles did apply to Poland, as it did to other European countries; she would ask for more details on the matter.

36. Mr. CIECIERSKI (Poland) said the Government would willingly follow up the suggestion that the next periodic report should contain more information on positive developments in the protection of the rights of minorities, including their right to vote and their protection under Poland's bilateral treaties with its seven neighbouring States.

37. Mr. SHAHI (Country Rapporteur) said the delegation had commendably touched on all the points raised by the Committee, if not to the Committee's entire satisfaction. The new Constitution placed the Convention on the same footing as other international treaties and agreements ratified by Poland after the Act of 7 April 1989 revising the Constitution and as the European conventions to which it was a party, which were considered part of the domestic legal system. That element of rather artificial discrimination, which depended on the date of ratification of the international conventions, was therefore removed.

38. He understood that some of the provisions of the 1952 Constitution - in particular, those dealing with equality of rights in the political, economic, social and other spheres banning certain kinds of organizations and guaranteeing equality of political rights - were also set forth in the new Constitution. He also presumed that various articles of the Criminal Code

cited in both the fourteenth and twelfth periodic reports and representing substantial fulfilment of Poland's obligations under article 4 of the Convention would remain intact in the new Criminal Code.

39. He asked the delegation to provide more reliable statistics on national and non-Polish or ethnic minorities, even though the law prohibited putting questions about ethnic origins to members of minorities. The statements that Poland was not a multinational society but that it nonetheless had minorities were not mutually contradictory but perhaps involved semantics.

40. He welcomed the details on the substance of the bilateral agreements with neighbouring countries on guarantees of minority rights, some of which were considered by the United States Department of State to be near-ideal; they had certainly set a good model. The next report should, however, provide the information on implementation of each article in accordance with the Committee's guidelines. In any case, the situation in Poland in terms of its fulfilment of its obligations under the Convention was far better than what had been reflected in the twelfth periodic report.

41. The Committee looked forward to Poland's declaration under article 14 of the Convention recognizing the Committee's competence to receive and consider communications.

42. With regard to Poland's bilateral treaties, the delegation had stated that the right of territorial autonomy was not guaranteed in the case of secession. While minorities were not entitled to secession, that statement raised the question of the extent to which minorities living in compact areas, such as the Germans in Silesia and Pomerania, who could not establish self-government, had political autonomy.

43. He hoped that those children of minority communities, or their parents, who expressed interest in receiving instruction in their own language were afforded the possibility of doing so. It had previously been stated that that depended on the availability of State resources. However, since Poland seemed to be doing well in its transition to a capitalist economy - with 6.5 per cent economic growth, and unemployment not much higher than in western Europe - it should be able to spare resources for improving the condition of the minorities, in particular the Roma.

44. The next report should elaborate on the delegation's statement that, owing to the changes under way in Poland, economic and social rights had been somewhat neglected and that some minorities, such as the Germans, were better off because they enjoyed assistance from abroad.

45. While article 13 of the new Constitution, which prohibited totalitarian political parties or those based on national hatred, did satisfy the requirements of article 4, paragraph 2, of the Convention, it did not cover organizations which, for instance, propagated ideas of racial superiority but did not have explicitly political aims. In that respect more explicit legislation was needed. Through its own laws Poland had given effect to the substance, if not the letter, of many provisions of the Convention, but the Committee was still troubled that the Government seemed to consider the Convention to be self-executing. In fact, the Convention required the

enactment of legislation to penalize violations. Polish law did provide for punishment, but some parts of the Convention could not be said to be self-executing, and might therefore require the enactment of statutory legislation.

46. The CHAIRMAN thanked the Polish delegation for a most satisfactory exchange of views and looked forward to continuing cooperation.

47. The delegation of Poland withdrew.

Review of the implementation of the Convention on States parties whose reports are excessively overdue

Niger

48. Mr. AHMADU (Country Rapporteur) said he had just been informed that the eighth to tenth periodic reports of Niger, which were to have been considered by the Committee at its 1223rd meeting, had arrived, in French; their consideration could perhaps be postponed to the Committee's fifty-second session.

49. It was so decided.

Haiti

50. Mr. de GOUTTES (Country Rapporteur) noted that the Government of Haiti had not submitted a report to the Committee since its ninth report in 1990. In considering Haiti along with other States parties whose reports were long overdue, the Committee should bear in mind the instability, violence and dire poverty that had characterized the situation there in the recent past. Haiti's reconstruction efforts should be encouraged by the Committee, which was sensitive to its request received on 30 July 1997 for extension of its deadline for submission of its next periodic report. The situation in Haiti was being examined now in a spirit of cooperation and in the light of Haiti's exceptional circumstances, and to inform Haiti of the main points it would like it to address in its next report, which should be focused on its implementation of the Convention.

51. He then gave an overview of recent developments in Haiti, beginning with the election in 1990 of President Jean-Bertrand Aristide and his overthrow by the military almost a year later. Efforts by the United Nations and the Organization of American States (OAS) to resolve the crisis had failed. Likewise, international sanctions had been to no avail. Only after negotiations between the former United States President Jimmy Carter, and the de facto President of Haiti, Mr. Jonnansaint, had President Aristide been able to resume power in 1994 following the arrival of a multinational force foreseen in Security Council resolution 940.

52. The final restoration of constitutional order had been signalled by the holding of presidential, legislative and local elections in 1995. President Aristide had been succeeded by President Préval and after a series of appointments and resignations Mr. Rosny Smarth had finally been appointed Prime Minister.

53. Throughout its crisis the United Nations had been offering Haiti support through several missions, the most recent being the United Nations Transition Mission in Haiti (UNTMIH), with a four-month mandate, provided for under Security Council resolution 1123 of 30 July 1997.

54. Violence and crime, particularly by armed gangs, were rife, casting doubt on the process of democratization after the withdrawal of the international force. Former President Aristide had formed a new political movement, LAVALAS. Meanwhile, the Parliament had approved massive cuts in public spending and a privatization programme, which had qualified Haiti for IMF aid, but the political situation had become tense after the first round of legislative by-elections marred by irregularities and the indefinite postponement of the second round of elections. The Prime Minister had resigned in June 1997 and was due to be officially replaced shortly.

55. Of Haiti's 6.8 million inhabitants, 85 per cent lived below the absolute poverty line; 1996 figures showed per capita income at US$ 300, a 2.9 per cent growth rate and 70 per cent and 77 per cent unemployment and illiteracy rates, respectively.

56. President Préval had taken further steps to turn the country round, including public sector and agrarian reform and rehabilitation of public utilities. Gross domestic product (GDP) was up, inflation down, and international financial aid had been renewed.

57. On the human rights front, a report on gross human rights violations committed during military rule between 29 September 1991 and 15 October 1994, had been submitted to the President by a national truth and justice commission. According to Amnesty International's 1997 report, the Commission had reported 8,650 violations by military and paralimitary groups, including enforced disappearances, extrajudicial executions and rape. Names, where known, had been given in an appended unpublished document with the Commission's recommendation that they be conveyed to the judicial authorities for further action. The recommendations in the report, which also related to judicial reform, compensation for victims and action in the event of sexual abuse had not been acted upon by the Government to date, despite the urgings of the United Nations Commission on Human Rights.

58. Proposed reforms of the seriously deficient judiciary were still pending approval by the National Assembly while, according to Amnesty International, the violators of human rights were still not being tried for past crimes.

59. Turning to recommendations for future periodic reports, he said that Haiti's assertion that there was no racial discrimination notwithstanding, the State was nonetheless required to provide for legislative and other measures to eliminate but also to prevent discrimination and to serve notice to the people of its stance on the issue. Furthermore, the absence of complaints and legal action prompted by racism was not necessarily a positive sign. There was cause to wonder whether people were aware of their rights, whether they trusted the police and the judiciary and whether the authorities gave the question of racism due attention - all questions which should be addressed in the next report. The alleged absence of any racial discrimination was, moreover, incompatible with reports referred to by the former Country

Rapporteur in 1990 of racial tension and of persistent discrimination on the labour market. Care should be taken to confine the report to Haiti's implementation of the provisions of the Convention and to avoid digressions on issues of relevance to other treaty monitoring bodies.

60. Precise, updated socio-economic data were required in the next report, including demographic and ethnic breakdowns, the usual indicators of non-integration of the most disadvantaged members of society, including data on unemployment, homelessness, morbidity and mortality rates, crime, drug addiction, alcoholism, prostitution, suicide, incarceration, etc. Racial discrimination between blacks, mulattoes and whites and discrimination between urban and rural dwellers should also be discussed.

61. The Committee awaited information on provisions in the Penal Code and other instruments to prosecute and punish all forms of racism under article 4 of the Convention, as well as measures taken by the State to promote and disseminate the principles enshrined in the Convention among Haitians and to encourage the work of human rights NGOs.

62. Finally, the Committee might invite the Government of Haiti to avail itself of the assistance afforded by the Centre for Human Rights in preparing its next periodic report.

63. Mr. RECHETOV commended Mr. de Gouttes' update on Haiti and noted that respect for human rights in Haiti was conditioned by the presence of international forces in Haiti. He was concerned about the limited focus of the national truth and justice commission on only human rights violations occurring between 1991 and 1994, leaving uninvestigated those crimes perpetrated outside of that specific time-frame. The international community should be urged in the Committee's recommendations to bring its influence to bear to change the situation in Haiti.

64. Mr. YUTZIS said that the international community had neglected to provide the necessary resources to assist Haiti in solving its very serious problems, although there were aspects of its history that commended themselves to the respect of the international community.

65. The CHAIRMAN suggested that the Committee inform the Government of Haiti that it had received its request for an extension of its deadline, had discussed the situation and would provide it with a copy of the provisional summary record of the discussion. While the Committee recognized the difficult circumstances faced by Haiti, it was keen to resume dialogue, even if Haiti could not provide all the information the Committee requested.

66. Mr. ABOUL-NASR suggested delaying consideration of Haiti's report because there was too much uncertainty about who was in charge and answerable for human rights there. The Committee should confine itself to requesting only information on racial discrimination and avoid adopting too broad a human rights perspective. He hoped that Mr. de Gouttes' draft would be concise.

67. Mr. van BOVEN endorsed the request for a succinct draft, which should be included in the Committee's annual report so that the General Assembly and the wider public would know of the Committee's concerns.

68. Mr. AHMADU said that the Committee might be asking too much of Haiti at the risk of alienating its Government and should use diplomatic language that avoided singling out Haiti. As for demographic data, it was a sensitive issue in the Caribbean and might not be forthcoming.

69. Mr. VALENCIA RODRIGUEZ agreed that Haiti was in dire straits and reiterated the call for restraint in making requests of its Government with which it might be unable to comply.

70. Mr. de GOUTTES welcomed the Chairman's suggestion that the Committee enclose the summary record with its reply to Haiti's note, providing the summary record was ready on time.

71. He agreed that Haiti was experiencing great difficulty and had other priorities that left its Government little time to provide all the information requested. He accordingly endorsed Mr. Ahmadu's proposal for an indirect approach to the wording of the Committee's reply, supplemented by a referral to the Centre for Human Rights for technical assistance.

72. The CHAIRMAN said he took it that the Committee thus wished to conclude its consideration of the situation in Haiti.

73. It was so agreed.

ORGANIZATIONAL AND OTHER MATTERS (agenda item 3) (continued)

74. The CHAIRMAN said he took it that the Committee did not wish to alter its decision to consider Israel on 11 August under the early warning and urgent procedures as proposed in the letter to the Chairman from that country's Permanent Representative, dated 7 August. The Representative would be informed accordingly, with Mr. van Boven (Country Rapporteur) drafting a reply.

75. It was so decided.

76. Mr. GARVALOV said that the reply to the letter should explain why the Committee was taking up Israel on 11 August; the State party should also be fully aware that the Committee had granted its request for postponing consideration of its periodic reports.

77. Mr. RECHETOV said that any special wording as to the reasons for its decision would be setting a precedent and would be tantamount to adopting a position on the substance of the issue. Instead, the Committee should inform Israel that it was adhering to its earlier decision to consider the question of Israel under early warning and urgent procedures and consider the periodic reports at its next session. Those Governments whose reports had been submitted and were to be considered at the fifty-second session should be informed of the substance of the Committee's decision and of what was expected of them.

78. The CHAIRMAN agreed with Mr. Rechetov, adding only that on a previous occasion the Committee had put the State party on the list for consideration under the early warning and urgent procedures and had addressed some specific

questions to it but had not received a reply. He also agreed that the Committee's arrangements for briefing sessions with States parties should be improved.

79. Mr. ABOUL-NASR said he generally agreed with the approach proposed by Mr. Rechetov, as the State party was well aware of the Committee's procedure. The Committee should not be drawn into a response to false statements and accusations against the Committee and the Secretariat and should keep the wording simple.

80. Mr. van BOVEN said the Committee's reply should stress the importance of the presence of the State party during consideration of the question. When the Committee set the agenda for its fifty-second session, it should make sure that all those concerned, and other interested parties, were informed immediately.

The meeting rose at 12.55 p.m.